

file

Summary
Request for Hearing
Gary Development Landfill
Lake County

On June 21, 1973, Oral H. Hert, Technical Secretary, approved the construction of a sanitary landfill located on Cline Avenue, north of the Grand Calumet River within the SW $\frac{1}{4}$ of Section 35, T37N, R9W, in Lake County containing approximately 62 acres.

On February 20, 1975, Oral H. Hert, Technical Secretary, approved the operation of this site and issued Operating Permit No. 45-2.

On March 2, 1977, a prehearing conference was held with Mr. Larry Hagen of the above-mentioned facility to prepare an Agreed Order for the site to submit modified plans, correct leachate discharges, and discontinue accepting unapproved industrial waste. Mr. Hagen subsequently refused to sign this Agreed Order.

On June 15, 1979, another prehearing conference was held in East Chicago. At this time another Agreed Order was established for continued operation of this site and Mr. Hagen indicated he would sign this one. During this two year period, some hearings were held with Mr. Hagen but were continued due to attorney changes and time conflicts.

On May 20, 1980, the Stream Pollution Control Board adopted the previously negotiated Agreed Order, Cause No. B-406. The Agreed Order specified that this would be a provisional operating permit for one year from date of approval. It also specified many conditions for operation.

On February 16, 1982, an amendment to the Construction Plan Permit SW 133 was issued with conditions and on that same date a renewal of Operating Permit No. 45-2 was issued with conditions also. A copy of each letter is attached.

On March 11, 1982, the Board received a request from Mr. Hagen's attorney, Terry K. Hiestand, appealing the conditions of the operating permit renewal letter and the construction plan amendment letter both of February 16, 1982. This letter also requested that a hearing be held pursuant to IC 13-7-10-5(b).

Recommendation: Staff recommends that a hearing officer be appointed and allowed to schedule the time and date of a hearing to resolve this matter.

SM/jb
Attachment



934-8-82 R 17(D)